

THE MORAY COUNCIL
MINUTE OF MEETING OF THE FLOOD ALLEVATION SUB-COMMITTEE
WEDNESDAY 11 APRIL 2007
COUNCIL OFFICE, ELGIN

PRESENT

Councillors A.E. Coutts (Chairman), R. Hossack, A. Keith, P.B. Paul and A. Urquhart

Also present Councillors A. Bisset and R. F. McIntosh

IN ATTENDANCE

The Director of Environmental Services, the Consultancy Manager, Barbara Hellett, Scheme Manager (Elgin) (Royal Haskoning), Paul Winfield, Scheme Manager, (River Findhorn) (Royal Haskoning), Senior Solicitor and the Administration Officer as Clerk to the meeting.

ALSO PRESENT

Also present by invitation was Mr John Ritchie from Scottish Water.

The Chair advised the meeting that he had received a letter from Scottish Water advising that they plan to do everything they can in order to bring their work in line with our timescales. The Administration Officer distributed the letter to the Meeting.

The Director of Environmental Services advised that he had received a minute from the Scottish Society of Directors of Planning regarding a joint meeting they had with SEPA. Within the minute it advises that the Association of British Insurers' Statement of Principles on flood insurance says that flood cover will continue to be offered as a standard feature of household and small business policies where properties are protected by flood defences to a standard 1.3% annual probability (1 in 75 year chance). Premiums will reflect the degree of risk. Insurers will continue to offer flood insurance to existing customers whose properties are currently at significant risk but where improvements in flood defences bringing them up to 1.3% annual probability standard (1 in 75 year chance) will be completed within five years. (This commitment previously ended in 2007). Insurers will work with existing customers on a case-by-case basis in those areas of significant flood risk where there are no plans to reduce the risk, and look at ways that flood cover can be continued.

Councillor P. Paul advised that this was extremely helpful and hoped that the press would make this known to the public.

1. DECLARATION OF GROUP DECISIONS

In terms of the relevant Standing Order 20 and the Councillor's Code of Conduct the meeting noted that there were no declarations from Group Leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the agenda.

The Chair advised that this was the last meeting of the Flood Alleviation Sub-Committee in its current format and it was initiated 3 years ago in order to give Members a more hands-on approach. There have been ups and downs but the schemes are going in the right direction now. This public forum has worked well as it has enabled the public to be aware of ongoing work. He thanked the Members who sit on the group, commenting that each of them, by coincidence, has a specific issue with flooding in their ward. He hoped that the incoming Council would continue the work which had already been done and he would like to see the schemes come to fruition at the earliest opportunity. He would like to thank Members, Officers within the Council and those Officers from other organisations who had helped get the schemes to this stage.

Councillor P. Paul advised that it had been a good idea to set up this group and hoped that after the 3rd May the new Council would continue to have this hands-on involvement, and thanked Officers.

2. WRITTEN QUESTIONS

The Meeting noted that no written questions had been submitted.

3. MORAY FLOOD ALLEVIATION SCHEMES: PROGRESS

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of Moray Flood Alleviation Schemes.

Following consideration the Sub Committee noted progress for the period ending 31 March 2007 in relation to the undernoted schemes:-

i) Elgin Flood Alleviation Scheme

The Scheme Manager (Elgin) gave a brief resume of where the scheme was to date and advised that the team are very busy at the moment in the run up to submitting the Flood Prevention Order. Work is ongoing at the three bridge sites and the outline business case has been produced. There will be a public exhibition held on the 24th and 25th April and the display will be available at the Full Council meeting on the 18th April 2007.

Further to a question from Councillor R. Hossack, the Scheme Manager advised that normally the Scottish Executive would expect the risk profile to be 30% of the baseline estimate and because it is currently a little higher the Scottish Executive may question this. The Scheme Manager is confident that they would be able to answer any questions the Scottish Executive may have and that this should not delay the Order.

The Scheme Manager also advised Councillor R. Hossack that they have had one meeting with Network Rail and have been corresponding by email and that they plan to hold another meeting early May.

ii) River Findhorn and Pilmuir Flood Alleviation Scheme

The Scheme Manager (River Findhorn) gave a brief resume of what work had been carried out to date and the timetable of work. He advised that there was a typographical error on Page 8 regarding the meeting with SEPA and SNH it should read 2 May 2007. The Scheme Manager also advised that they had had positive meetings with landowners and they plan to hold a public meeting in the summer.

In response to queries from Councillor A. Urquhart, the Consultancy Manager advised that there has been a reduction in the budget due to some of the risk items not having arisen and some of the monies will be carried forward. The Scheme Manager advised that with regard to downstream there are currently modelling ongoing and they are investigating various options. He also advised that they had discussed the option planned to be submitted in December with the Scottish Executive. Protection Work to smaller, outlying communities needs to be justified economically.

iii) Burn of Mosset Flood Alleviation Scheme

The Consultancy Manager advised that the Burn of Mosset scheme was further advanced. They were to contact SEPA with regarding to discussing the way forward with the CAR (Controlled Activity Regulation) licence. He advised that some of the trees have been cleared by the Woodland Trust for downstream and a report on ground investigation is imminent. They are making progress with the landowner information packs. It is anticipated that October would be the earliest construction start date and they hope to have all licences, Flood Prevention Order and landowner agreements in place. There has been higher expenditure than initially forecast.

The Director of Environmental Services advised that discussions with SEPA are taking place in order to gain a clearer understanding of their requirements in respect of CAR to enable the Council to meet them. The Director may report further to the Council on the 18th April 2007 if there are any further developments.

Councillor R. Hossack questioned whether the landowner packs would be useful for the Elgin Scheme. The Scheme Manager (Elgin) advised that they would be relevant and would be used once the Flood Prevention Order and planning applications were submitted.

iv) Roths Flood Alleviation Scheme

The Consultancy Manager advised that the planning application had been submitted and there are still a few weeks of the objection period still to go. The Principal Planning Officer had advised the Consultancy Manager that Scottish Natural Heritage would not withdraw their objection to the Flood Prevention Order until they have considered the planning application.

Councillor P. Paul asked whether the Chair had written to COSLA regarding the people who are losing their homes. The Chair confirmed that he had but no response had been received.

Councillor P. Paul advised that she is happy to hear that the Roths Scheme is as important as Elgin. She appreciates that Elgin is a huge problem but all communities should be looked after .

v) Kingston Coast Protection Scheme

Noted

The Consultancy Manager advised that the low lying parts of Kingston are potentially more at risk from fluvial and tidal flooding than coastal storm flooding. No progress had been made on the coastal scheme.

vi) Garmouth Flood Alleviation Scheme

Noted

The Consultancy Manager advised that the work in Garmouth and Kingston has been allocated by Royal Haskoning and progress will be seen in the next few months.

In response to Councillor R. Hossack the Scheme Manager (Elgin) advised that the feedback from the Elgin Scheme Public Exhibition would be taken into account before submission of the Flood Prevention Order but she is confident that there will be limited impact on the scheme. The Director of Environmental Services advised that there is a report being submitted to the Full Council on the 18th April 2007 and the process will be shown in the timetable contained in the report.

Following consideration the Committee noted the progress for the period ending 31 March 2007 and that it be reported to the Council on the 18th April 2007.

4. MORAY FLOOD ALLEVIATION SCHEMES: ESTIMATED COSTS TO BRING SCHEMES TO CONSTRUCTION START STAGE FOR FINANCIAL YEARS 2006 – 2009 , ESTIMATED TOTAL SCHEME COSTS PROJECTIONS FOR FINANCIAL YEAR 2007-2008 FOR FUTURE MONITORING

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the development of Moray Flood Alleviation Schemes to construction start stage for the period 2006 – 2009 in respect of financial monitoring for 2006-2007 and seek approval for projected costs for financial year 2007-2008.

The Consultancy Manager advised that the total costs of the scheme as indicated in 3.8 of the report is £148.5 million but taking into account and other decisions agreed by various committees he would estimate that the total cost of all schemes would be estimated at £155 million.

The Chair advised that the costs have increased by £7 million of which the Council needs to find 20% of, hence the need for strong reserves.

Councillor R. Hossack advised that in 3.15 of the report the costs do not include the public inquiry, compensation costs, contaminated land, etc therefore it would be a greater figure than the Committee were considering today. The Director of Environmental Services advised that they are keeping in touch with the Scottish Executive advising them of the costs and the Council are using all the opportunities that they can to save money.

Following consideration the Committee agreed :-

- i. Note the actual expenditure for 2006-2007 against estimates and that PLI costs and advance property acquisition costs are additional.
- ii. Note the estimated costs to develop the Moray Flood Alleviation Schemes to construction stage and recommends to the Moray Council that these be used for future monitoring and notes that any PLI costs and advance property acquisition costs are additional.
- iii. Notes the revised capital costs of the schemes, that costs for the Elgin scheme will be reported to the Moray Council on 18 April 2007 and that the Capital Plan will require adjustment in future years to take into account revised estimates and programmes.

5. PROGRESS OF SCOTTISH WATER'S DRAINAGE AREA STUDIES FOR ROTHES, FORRES AND ELGIN

There was submitted a report by the Director of Environmental Services updating the Sub-Committee on the progress of Scottish Water's Drainage Area Studies for Rothes, Forres and Elgin..

Councillor A. Urquhart noted that the report only mentions Elgin and he asked what was the progress in Rothes and Elgin. Mr Ritchie, Scottish Water, apologised for not submitting the reports with regard to the other areas but advised that the report for Rothes and Forres will be ready by mid-July and the Elgin report by the 15th June 2007. Councillor Urquhart thanked Mr Ritchie for these comments and asked specifically for them to be included in the minute.

6. SCHEDULE OF OUTSTANDING BUSINESS

As at 4 April 2007 the Committee noted the Schedule of Outstanding Business.

7. QUESTION TIME****

The Committee had no questions.